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DOCKET NO.: PHNL 000222
CLIENT NO.: PHIL06-00222
CUSTOMER NO.: 23990

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : GERARD HARBERS ET AL.
Serial No. : 09/846,607
Filed : April 30, 2001
For : ASSEMBLY OF A DISPLAY DEVICE AND AN ILLUMINATION
SYSTEM
Group No. : 2675
Examiner : Paul A. Bell

MAIL STOP 16

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR REFUND

Applicant hereby requests a refund in the amount of \$72.00 for the excess claims fee charged to Davis Munck Deposit Account No. 50-0208 on December 16, 2004. A copy of the Deposit Account Statement dated December 2004 is attached.

Applicant filed an Amendment Under 35 U.S.C. §1.111 on October 1, 2004 (copy enclosed). Since no new claims were added, no fee was due. Also enclosed is a copy of the return date-stamped acknowledging receipt of the Amendment Under 35 U.S.C. §1.111 and accompanying documents.

Please issue a credit in the amount of \$72.00 to Davis Munck Deposit Account No. 50-0208 for this overpayment.


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ATTORNEY DOCKET NO.: PHNL 000222
U.S. SERIAL NO.: 09/846,607
PATENT

Respectfully submitted,

DAVIS MUNCK, P.C.

Date: March 4, 2008



William A. Munck
Registration No. 39,308

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United States
Patent and
Trademark Office

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Deposit Account Statement

Requested Statement Month: December 2004
Deposit Account Number: 500208
Name: DAVIS MUNCK
Attention: JOHN T MOCKLER
Address: 900 THREE GALLERIA TOWER
City: DALLAS
State: TX
Zip: 75240

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
12/02	111	10680949	2003.10.008.WS0	8007	\$20.00	\$3,572.00
12/02	112	10743341	2003.10.018.WS0	8007	\$20.00	\$3,552.00
12/02	119	10899566	2003.09.010.WS0	8007	\$20.00	\$3,532.00
12/02	121	10672607	2003.08.007.WS0	8007	\$20.00	\$3,512.00
12/02	122	60500160	2003.09.010.WS0	8007	\$20.00	\$3,492.00
12/02	127	10888034	2003.08.012.WS0	8007	\$20.00	\$3,472.00
12/02	128	60495461	2003.08.012.WS0	8007	\$20.00	\$3,452.00
12/02	185	60497271		8007	\$40.00	\$3,412.00
12/02	187	10764130		8007	\$40.00	\$3,372.00
12/02	189	60497274		8007	\$40.00	\$3,332.00
12/02	190	10764129		8007	\$40.00	\$3,292.00
12/02	201	10681469		8007	\$20.00	\$3,272.00
12/06	32	E-REPLENISHMENT		9203	-\$3,000.00	\$6,272.00
12/06	122	0125290741		8014	\$25.00	\$6,247.00
12/06	123	0147820440		8014	\$25.00	\$6,222.00
12/06	124	0126330969		8014	\$25.00	\$6,197.00
12/06	125	0143070325		8014	\$25.00	\$6,172.00
12/06	581	78526998	RFMI01-00262	7001	\$335.00	\$5,837.00
12/10	3	09801625	PHNL 000095	1202	\$18.00	\$5,819.00
12/10	4	09801625	PHNL 000095	1201	\$176.00	\$5,643.00
12/13	6	10059982	98-C-152C1	1251	\$10.00	\$5,633.00
12/14	122	60497396	2003.08.009.WTO	8007	\$40.00	\$5,593.00
12/14	124	10763409	2003.08.009.WTO	8007	\$40.00	\$5,553.00
12/15	1	09992928	000591	1252	\$330.00	\$5,223.00
12/15	1	09370489	PHA 23,743	1251	\$110.00	\$5,113.00
12/16	3	09846607	PHNL 000222	1202	\$72.00	\$5,041.00
12/17	1	10279442	13039:213	1251	\$120.00	\$4,921.00
12/30	114	76437081	KIDK01-00011	7004	\$150.00	\$4,771.00

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
\$3,592.00	\$1,821.00	\$3,000.00	\$4,771.00

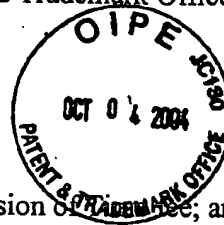
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Mailed: October 1, 2004
In re. Application of: GERALD HARBERS, ET AL.
Serial No.: 09/846,607
Filed: April 30, 2001
Title: ASSEMBLY OF A DISPLAY DEVICE AND AN
ILLUMINATION SYSTEM
Docket No.: PHNL 000222 (PHIL06-00222)

The following documents were received in the U.S. Patent and Trademark Office on the date stamped below:

- 1) Certificate of Mailing by First Class Mail;
- 2) Amendment Under 35 U.S.C. § 1.111;
- 3) Petition for Extension of Time (in duplicate);
- 4) Check in the amount of \$110.00 (for one month Extension of Time fee; and
- 5) Fee Transmittal for FY 2004 (in duplicate).



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Mailed: October 1, 2004
 In re. Application of: GERALD HARBERS, ET AL.
 Serial No.: 09/846,607
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- 5) Fee Transmittal for FY 2004 (in duplicate).

DOCKET NO. PHNL 000222 DIV. KRAU SER. NO. 09/846,607

PLEASE DATE STAMP AND RETURN TO
 ACKNOWLEDGE RECEIPT OF NOTED DOCUMENTS

TWO POSTCARDS

Application.....	<input type="checkbox"/>	Amendment.....	<input checked="" type="checkbox"/>
_____ Pages of		Issue Fee.....	<input type="checkbox"/>
spec., claims & abs.		Notice of Appeal....	<input type="checkbox"/>
Con. Doc.....	<input type="checkbox"/>	Extension.....	<input checked="" type="checkbox"/>
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DOCKET NO. PHNL 000222 (PHIL06-00222)
Customer No. 23990

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: : Gerard Harbers, et al
Serial No. : 09/846,607
Filed : April 30, 2001
For : ASSEMBLY OF A DISPLAY DEVICE AND AN
ILLUMINATION SYSTEM
Group No. : 2675
Examiner : Paul A. Bell

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

Sir:

The undersigned hereby certifies that the following documents:

1. Amendment Under 35 U.S.C. Section 1.111;
2. Petition for Extension of Time (in duplicate);
3. Fee Transmittal for FY 2004 (in duplicate);
4. Two Postcards; and
5. Check in the amount of \$110.00 (Extension of Time, one month).

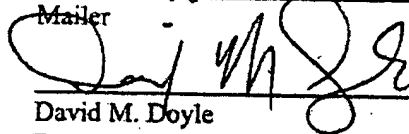
relating to the above application, were deposited as "First Class Mail" with the United States Postal Service, addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 1, 2004.

Date: 10/1/04

Date: 10/1/04



Mailer



David M. Doyle
Reg. No. 43,596

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DAVIS MUNCK, P.C. OPERATING ACCOUNT
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VENDOR: Commissioner of Patents

10/01/2004 CHECK NO: 46646

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54423	PHIL06-00222 Petition for Extension of Time (1month)	10/1/2004	110.00	110.00	

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PTO/SB/17 (10-03)
Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**110.00**

Complete if Known

Application Number	09/846,607
Filing Date	April 30, 2001
First Named Inventor	Gerald Harbers, et al.
Examiner Name	Paul A. Bell
Art Unit	2675
Attorney Docket No.	PHNL 000222

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number **50-0208**

Deposit Account Name **Davis Munck**

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$)-0-

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			(\$)-0-

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	110.00
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**110.00**

SUBMITTED BY

Name (Print/Type)	David M. Doyle	Registration No. (Attorney/Agent)	43,596	Telephone	972-628-3600
Signature		Date	10/1/04		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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DOCKET NO: PHNL 000222
CLIENT NO.: PHIL06-00222

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of : GERALD HARBERS, ET AL.
U.S. Serial No. : 09/846,607
Filing Date : April 30, 2001
Title : ASSEMBLY OF A DISPLAY DEVICE AND AN
ILLUMINATION SYSTEM
Group: : 2675
Examiner : Paul A. Bell

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PETITION FOR EXTENSION OF TIME

Applicant respectfully requests a one (1) month extension of time for filing a response to the Office Action mailed June 1, 2004. The response period expired on September 1, 2004, and if this Petition for Extension of Time is granted, the new response date will be October 1, 2004.

A check in the amount of \$110.00 is enclosed for the one (1) month extension fee. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Davis Munck Deposit Account No. 50-0208.

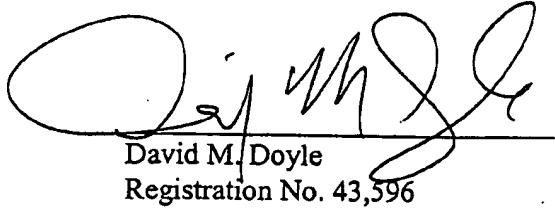
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ATTORNEY DOCKET NO.: PHNL 000222
U.S. SERIAL NO.: 09/846,607
PATENT

Respectfully submitted,

DAVIS MUNCK, P.C.

Date: 10/1/04



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email: ddoyle@davismunck.com

DOCKET NO. PHNL 000222 (PHIL06-00222)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Gerard Harbers, et al.
Serial No.: 09/846,607
Filed: April 30, 2001
For: ASSEMBLY OF A DISPLAY DEVICE AND AN
ILLUMINATION SYSTEM
Group No.: 2675
Examiner: Paul A. Bell

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT UNDER 35 U.S.C. § 1.111

This Amendment is filed in response to the Office Action mailed June 1, 2004. Applicants respectfully request a one (1) month extension of time for filing a response to the Office Action. The response period is presently set to expire on September 1, 2004, and if this Request for Extension of Time is granted, the new response date will be October 1, 2004. Please amend the patent application as follows.

IN THE CLAIMS:

Please amend the claims as follows.

1. (Currently Amended) An assembly comprising:
 a display device provided with a pattern of pixels associated with color filters, and
 an illumination system for illuminating the display device,
 said illumination system comprising a light-emitting panel and at least one light source,
 said light source being associated with the light-emitting panel,
 the light source comprising at least three light-emitting diodes having different light-
 emission wavelengths,
 said light-emitting diodes being associated with the color filters,
 said illumination system operable to drive the at least three light-emitting diodes to
 separately control the intensity of light emitted in at least one of said different light emission
 wavelengths and thereby change a color temperature and illumination level of a picture to be
 displayed by the display device.

2. (Previously Presented) An assembly as claimed in claim 1, wherein:
 the light source comprises three light-emitting diodes having different light-emission
 wavelengths, and
 the color filter comprises three color filters,
 a spectral emission of each one of the three light-emitting diodes being substantially
 adapted to a spectrum of one of the color filters.

3. (Previously Presented) An assembly as claimed in claim 1 or 2, wherein:
 the light source comprises at least one blue light-emitting diode, at least one green light-emitting diode and at least one red light-emitting diode,
 the color filter comprises a blue, a green and a red color filter, and
 in operation, the blue color filter predominantly passes light originating from the blue light-emitting diode, the green color filter predominantly passes light originating from the green light-emitting diode and the red color filter predominantly passes light originating from the red light-emitting diode.

4. (Previously Presented) An assembly as claimed in claim 1 or 2, wherein at least one of the light-emitting diodes is chosen such that the wavelength associated with a spectral maximum of the light-emitting diodes corresponds to a wavelength associated with a spectral maximum of the corresponding color filter in the visible spectrum.

5. (Previously Presented) An assembly as claimed in claim 4, wherein the wavelength λ_{led}^{max} associated with the spectral maximum of at least one of the light-emitting diodes and the wavelength λ_{cf}^{max} associated with the spectral maximum of the corresponding color filter meet the relation: $|\lambda_{led}^{max} - \lambda_{cf}^{max}| \leq 5 \text{ nm}$.

6. (Previously Presented) An assembly as claimed in claim 1 or 2, wherein a spectral bandwidth (FWHM) of the light-emitting diodes lies in a range between $10 \leq \text{FWHM} \leq 50 \text{ nm}$.

7. (Previously Presented) An assembly as claimed in claim 6, wherein the spectral bandwidth lies in a range between $15 \leq \text{FWHM} \leq 30$ nm.
8. (Previously Presented) An assembly as claimed in claim 1 or 2, wherein an intensity of light emitted by the light-emitting diodes varies in response to an illumination level of the picture to be displayed by the display device.
9. (Previously Presented) An assembly as claimed in claim 8, wherein the intensity of the light emitted by the light-emitting diodes can be adjusted on a frame-to-frame basis.
10. (Previously Presented) An assembly as claimed in claim 8, wherein the intensity of the light emitted by the light-emitting diodes can be adjusted for each color on a frame-to-frame basis.
11. (Previously Presented) An assembly as claimed in claim 1 or 2, wherein each one of the light-emitting diodes has a luminous flux of at least five lumens.
12. (Previously Presented) An assembly as claimed in claim 11, wherein the light-emitting diodes are mounted on a printed circuit board.

13. (Currently Amended) A display device for use with an illumination system, comprising:

- a liquid crystal display panel comprising a plurality of liquid crystal elements operable to selectively allow passage of light from the illumination system; and
- at least one color filter operable to filter the light allowed to pass through one or more of the liquid crystal elements to produce one or more pictures;
- wherein the illumination system drives at least three light-emitting diodes to separately control the intensity of light emitted in at least one of said different light emission wavelengths and thereby change a color temperature and illumination level of the one or more pictures.

14. (Currently Amended) An illumination system for use with a display device, comprising:

- a light-emitting panel;
- at least one light source associated with the light-emitting panel, the at least one light source comprising at least three light-emitting diodes having different light-emission wavelengths, the light-emitting diodes associated with color filters in the display device; and
- a controller operable to drive the at least three light-emitting diodes to separately control the intensity of light emitted in at least one of said different light emission wavelengths and thereby change a color temperature and illumination level of a picture to be displayed by the display device.

15. (Previously presented) An assembly as claimed in claim 1, wherein:
the picture to be displayed by the display device is associated with one of a plurality of emission standards, each emission standard associated with a standardized color triangle; and
the illumination system is operable to tune the light-emitting diodes such that the display device displays the picture in accordance with the standardized color triangle of the emission standard associated with the picture.
16. (Previously presented) An assembly as claimed in claim 15, wherein:
the picture comprises one of a plurality of pictures, the plurality of pictures associated with different emission standards; and
the illumination system is operable to tune the light-emitting diodes such that the display device displays each of the pictures in accordance with the standardized color triangle of the emission standard associated with each of pictures.
17. (Previously presented) An assembly as claimed in claim 15, wherein the plurality of emission standards comprise National Television Standards Committee (NTSC), European Broadcasting Union (EBU), and High Definition Television (HDTV) emission standards.
18. (Previously presented) A display device as claimed in claim 13, wherein the at least one color filter comprises blue, green, and red color filters.

19. (Previously presented) An illumination system as claimed in claim 14, wherein:
the picture to be displayed by the display device is associated with one of a plurality of
emission standards, each emission standard associated with a standardized color triangle; and
the controller is operable to tune the light-emitting diodes such that the display device
displays the picture in accordance with the standardized color triangle of the emission standard
associated with the picture.

20. (Previously presented) An illumination system as claimed in claim 19, wherein:
the picture comprises one of a plurality of pictures, the plurality of pictures associated
with different emission standards; and
the controller is operable to tune the light-emitting diodes such that the display device
displays each of the pictures in accordance with the standardized color triangle of the emission
standard associated with each of pictures.

REMARKS

Claims 1-20 are pending in this application.

Claims 1-20 have been rejected.

Claims 1, 13 and 14 have been amended as shown above.

Reconsideration of Claims 1-20 is respectfully requested.

I. 35 U.S.C. § 103 – Obviousness

In the June 1, 2004 Office Action the Examiner rejected Claims 1-20 under 35 U.S.C. § 103(a) as being obvious over United States Patent No. 4,870,484 to Sonehara ("*Sonehara*") in view of United States Patent No. 6,213,615 to Siitari ("*Siitari*"). The Applicants respectfully traverse these rejections.

During *ex parte* examinations of patent applications, the Patent Office bears the burden of establishing a *prima facie* case of obviousness. MPEP § 2142; *In re Fritch*, 972 F.2d 1260, 1262, 23 USPQ2d 1780, 1783 (Fed. Cir. 1992). The initial burden of establishing a *prima facie* basis to deny patentability to a claimed invention is always upon the Patent Office. MPEP § 2142; *In re Oetiker*, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992); *In re Piasecki*, 745 F.2d 1468, 1472, 223 USPQ 785, 788 (Fed. Cir. 1984). Only when a *prima facie* case of obviousness is established does the burden shift to the applicant to produce evidence of non-obviousness. MPEP § 2142; *In re Oetiker*, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992); *In re Rijckaert*, 9 F.3d 1531, 1532, 28 USPQ2d 1955, 1956 (Fed. Cir. 1993). If the Patent Office does not produce a *prima facie* case of unpatentability, then without more the applicant is entitled to grant of a patent. *In re Oetiker*, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992); *In re Grabiak*, 769 F.2d 729, 733, 226 USPQ 870, 873 (Fed. Cir. 1985).

A *prima facie* case of obviousness is established when the teachings of the prior art itself suggest the claimed subject matter to a person of ordinary skill in the art. *In re Bell*, 991 F.2d 781, 783, 26 USPQ2d 1529, 1531 (Fed. Cir. 1993). To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed invention and the reasonable expectation of success must both be found in the prior art, and not be based on an applicant's disclosure. MPEP § 2142.

For the reasons set forth below the Applicants respectfully submit that the Patent Office has not established a *prima facie* case of obviousness with respect to Claims 1-20.

The Applicants respectfully direct the Examiner's attention to Claim 1. Claim 1 sets forth unique and novel claim elements.

1. (Currently Amended) An assembly comprising:
a display device provided with a pattern of pixels associated with color filters, and
an illumination system for illuminating the display device,
said illumination system comprising a light-emitting panel and at least one light source, said light source being associated with the light-emitting panel,
the light source comprising at least three light-emitting diodes having different light-emission wavelengths,
said light-emitting diodes being associated with the color filters,
said illumination system operable to drive the at least three light-emitting diodes to separately control the intensity of light emitted in at least one of said different light emission wavelengths and thereby change a color temperature and illumination level of a picture to be displayed by the display device. (*emphasis added*)

The *Sonehara* reference describes a color display device that associates a pixilated liquid crystal light shutter with color filters in order to modulate light from a light source. See *Sonehara*, Fig. 2A; col. 3, lines 11-27. As acknowledged in the June 1, 2004 Office Action, *Sonehara* does not teach controlling light-emitting diodes of a light source to change a color temperature of a picture to be displayed. The Applicants respectfully submit that neither does the *Sonehara* reference describe controlling light-emitting diodes of a light source to change an illumination level of a picture to be displayed, as recited in amended independent Claim 1. The only control of the illumination level of the color display in *Sonehara* is the liquid crystal light shutter. See *Sonehara*, Abstract, lines 3-5.

Similarly, the *Siitari* reference shows a back-lit liquid crystal display whose color temperature is set by balancing the relative brightness of two background light lamps having different color temperatures. See *Siitari*, col. 3, lines 8-10. However, *Siitari* teaches that the brightnesses of the two background light lamps are adjusted to keep the total brightness the same as either lamp's individual brightness. See *Siitari*, col. 3, lines 12-18. Thus, the *Siitari* reference actually teaches away from changing the illumination level of the display device by separately controlling the intensity of light emitted in different light emission wavelengths, as recited in amended independent Claim 1.

Independent Claims 1, 13, and 14 each recite an "illumination system" that is operable to drive at least three light-emitting diodes to change a "color temperature and illumination level" of one or more pictures to be displayed by a "display device." The Applicants respectfully submit that the *Sonehara* and *Siitari* references, either alone or in combination, do not disclose, suggest or hint at all the claim limitations of independent Claims 1, 13 and 14 as amended.

Accordingly, the Applicants respectfully request withdrawal of the § 103 rejections and full allowance of independent Claims 1, 13, and 14 (and their dependent claims).

II. CONCLUSION

The Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. The Applicants reserve the right to submit further arguments in support of their above stated position, as well as the right to introduce relevant secondary considerations including long-felt but unresolved needs in the industry, failed attempts by others to invention the invention, and the like, should that become necessary.

SUMMARY

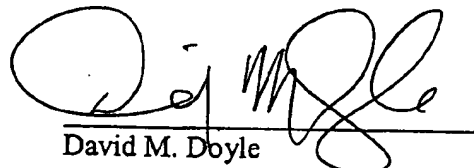
For the reasons given above, the Applicants respectfully request reconsideration and allowance of pending claims and that this application be passed to issue. If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Applicants respectfully invite the Examiner to contact the undersigned at the telephone number indicated below or at ddoyle@davismunck.com.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Davis Munck Deposit Account No. 50-0208.

Respectfully submitted,

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DOCKET NO.: PHNL 000222
CLIENT NO.: PHIL06-00222
CUSTOMER NO.: 23990

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: : GERARD HARBERS ET AL.
Serial No. : 09/846,607
Filed : April 30, 2001
For : ASSEMBLY OF A DISPLAY DEVICE AND AN
ILLUMINATION SYSTEM
Group No. : 2675
Examiner : Paul A. Bell

Mail Stop 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

The undersigned hereby certifies that the following documents:

1. Request for Refund;
2. Copy of Amendment Under 35 U.S.C. §1.111 and accompanying documents as filed on October 1, 2004 and a copy of the return date-stamped postcard;
3. Copy of Deposit Account Statement dated December 2004; and
4. A return postcard

relating to the above application, were deposited as "First Class Mail" with the United States Postal Service, addressed to Mail Stop 16, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 7, 2005.

Date: March 7, 2005

Kathy Hamilton
Mailer

Date: March 4, 2005

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